IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 20763 of 2003

Between:

G.Satyanarayana, S/o.Garudachalam,
Indian Airlines, R/o.105, Picket,
Secunderabad.

..... PETITIONER

AND

District Collector,
Hyderabad District, Hyderabad. And another

...RESPONDENTS

ORDER:

Heard learned counsel for the petitioner
Sri P.Venugopal.

The writ petition is filed by a Senior Foreman of the Indian Airlines assailing the order of the District Collector bearing Proceedings No.D2/3902/2000, dated 18.08.2003, accepting the findings and opinion of the District Level Scrutiny Committee and invalidating the caste certificates issued to the petitioner certifying him as belonging to the S.C. “Arwa Mala” community. As against this order the petitioner preferred an appeal to the State Government under Section 7(2) of the Andhra Pradesh (Scheduled Castes, Schedules Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (for short “ the Act”). He has thereafter filed this writ petition, as the appellate authority was not disposing of the appeal.

The reasons for non-disposal of the appeal as inferred by the petitioner have been set out in para 17 of the writ petition. It is stated by the learned counsel for the petitioner that now the appeal could be disposed of by the second respondent herein. The petitioner has preferred an appeal on

17.09.2003 to the second respondent, before approaching this Court.

Having pursued the appellate remedy, in the first instance, the petitioner cannot be permitted to pursue the judicial remedy as well and simultaneously.

In the circumstances and on the analysis above, the writ petition is dismissed. The second respondent is directed to expeditiously consider and dispose of the appeal of the petitioner and communicate a reasoned order, within four weeks from the date of receipt of a copy of this order. No costs.

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22-09-2005

kvrm